

SECRET

20 December 1968

OPC

Assistant General Counsel

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OGC HAS REVIEWED.

1. Reference is made to your memorandum, dated 8 December 1968, concerning the above subject. You attached a Memorandum For The Record, signed by [REDACTED] dated 23 November 1968, that memorandum is returned herewith. You point out that at the time subject entered on duty, she signed a Form No. 51-104. You request a decision be rendered concerning the validity of the waiver granted by the Assistant Director for the Office of Policy Coordination.

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2. Form No. 51-104 is a form prescribed and made a part of CIA Administrative Instruction [REDACTED] signed by the Director. It is provided in that Instruction that appointments of employees to be paid from unappropriated funds will be made where employees are specifically employed for overseas duty on the prescribed form No. 51-104. The Assistant Directors for Operations and Special Operations are authorized, in their discretion, to require acceptance of an agreement prescribing a tour of less than twenty-four months where it is determined to be in the best interests of the Government. The effect of Mr. [REDACTED] memorandum of 23 November 1968 is a conditional waiver of the requirements of Administrative Instruction [REDACTED] as to length of overseas service required.

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3. Since Administrative Instruction [REDACTED] was signed by the Director, and no discretion, to the knowledge of this office, has been provided for the Assistant Director for OGC, it would appear that in so far as any variation from the prescribed tour of duty abroad is concerned, the memorandum of 23 November 1968 is without effect. The question of whether a shorter tour of duty abroad, based on possible health considerations would be in the best interests of the Government is not raised, and consequently, will not be answered by this office at this time.

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General Counsel: [REDACTED] mes

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Memorandum For The Record, dated 23 November 1968,
signed by [REDACTED]

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cc:

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Legal Decisions - Personnel Procedures

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